

Applicants agree that the Group I claims are directed to a method and the Group II claims to an apparatus for practicing the method. However, Applicants do not agree that the apparatus as claimed can be used to practice another or materially different method.

Specifically, claim 1 calls for a method of registering homeopathic information which involves obtaining an analog spectrum, digitizing it and storing the digitized spectrum. Claim 12 relates to an apparatus for reproducing homeopathic information which involves a data processor for storing a spectrum and means for processing it. It is by no means clear that the method of claim 1 could be practiced by hand or by another materially different apparatus from that recited in claim 12 and it is certainly not clear that the apparatus as claimed there can be used to practice any method other than that recited in claim 1. As far as claims 1 and 12 are concerned, the issue of treatment, diagnosis or treatment as combined with diagnosis are irrelevant.

Accordingly, the Examiner has not demonstrated that the claims in this case should not be examined in a single application and reconsideration of the requirement for restriction is thus requested.

A petition for an automatic two month extension of the term for reply, together with a charge form applying the fees to a charge card of the undersigned are enclosed.

Respectfully submitted
The Firm of Karl F. Ross P.C.

By: ~~Herbert Dubno, Reg. No. 19,752~~
Attorney for Applicant

Enc: Petition for Extension
PTO 2038 Form

22 July 2004
5676 Riverdale Avenue Box 900
Bronx, NY 10471-0900
Cust. No.: 535
Tel: (718) 884-6600
Fax: (718) 601-1099

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